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LETTER DATED 8 MAY 1992 FROM THE PERMANENT REPRESENTATIVE OF
THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED
TO THE PRESIDENT OF THE SECURITY COUNCIL

Letter dated 5 December 1991 from the judge conducting the inquiry into the crash of the DC-10 aircraft belonging to the French UTA airline addressed to the Examining Magistrate at the Court of First Instance, Paris.

Letter dated 31 December 1991 from the judge conducting the inquiry into the incident addressed to the Examining Magistrate at the Court of First Instance, Paris.

Letter dated 26 April 1992 from the judge conducting the inquiry into the crash of the UTA aircraft addressed to the secretariat of the General People's Committee for Justice of the Jamahiriya in response to the letter from the French Examining Magistrate, Mr. J.-L. Bruguière, transmitted to the Secretary-General by the Permanent Representative of France to the United Nations.

I should be grateful if you would have this letter and its annexes circulated as a document of the Security Council.

(Signed) Ali Ahmed ELHOUDEIRI
Permanent Representative

Annex I

Letter dated 5 December 1991 from the Counsellor at the
Supreme Court of the Libyan Arab Jamahiriya addressed to
the Examining Magistrate, Court of First Instance, Paris

I have the honour to inform you that I have been commissioned by the Plenum of the Supreme Court of the Libyan Jamahiriya to inquire into the incident of the crash of the DC-10 aircraft belonging to the French UTA airline over the territory of the Republic of the Niger some two years ago.

In notifying you of this, I should like to express my complete readiness to cooperate with you in bringing the truth to light. We request, in this connection, to be provided with a copy of the documents pertaining to the investigations that took place with regard to the said incident and the incriminating evidence amassed by you which led to the indictment of Libyan suspects as having had a role in the said incident.

(Signed) Mahmud MURSI
Counsellor at the Supreme Court

Annex II

Letter dated 31 December 1991 from the Counsellor, Investigating
Commissioner of the Libyan Arab Jamahiriya addressed to the
Examining Magistrate, Court of First Instance, Paris

With reference to our letter to you of 5 December 1991, in which we expressed our readiness to cooperate with you in bringing the truth to light in the matter of the crash of the French aircraft in the Niger in 1989 and requested from you a copy of the documents pertaining to the investigations that took place in that regard or the evidence amassed by you which led to the indictment of Libyan suspects as having had a role in the said incident, I should like to inform you that I have as yet received no reply from you. In this present letter to you, I should like to propose that I am ready to come to Paris in order to examine the aforementioned investigatory documents.

Should you reach agreement with the official French authorities on this matter, I request you to inform us of the date. In another respect, we should like to inform you that we have no objection to your coming to the Libyan Jamahiriya and that we are ready to provide the inquiry with whatever you deem the inquiry should be provided with, whether the hearing of particular witnesses or otherwise.

(Signed) Mahmud Ahmad MURSI
Counsellor
Investigating Commissioner

Annex III

Letter dated 26 April 1992 from the Counsellor, Investigating
Judge of the Libyan Arab Jamahiriya addressed to the Adviser
to the Secretary of the General People's Committee for Justice
of the Libyan Arab Jamahiriya

We have received the text of the letter that you were kind enough to provide to us, namely the letter from our colleague the French Examining Magistrate, Mr. J.-L. Bruguière, addressed to the French Minister of State and transmitted to the Secretary-General of the United Nations by the Permanent Representative of France on 21 April 1992.

In light of the contents of that letter, we should like to state the following:

1. In the framework of our commitment to full and effective judicial cooperation in the legal proceedings being taken with regard to the incident of the DC-10 aircraft belonging to the UTA company, we took the initiative, on 5 December 1991, of writing to our colleague the Examining Magistrate at the Court of First Instance in Paris, expressing our complete readiness to cooperate with him in bringing the truth to light and requesting him to provide us with a copy of the documents pertaining to the investigations that had taken place in that regard and the incriminating evidence that had been amassed. (A copy of the letter is enclosed herewith.)
2. On 31 December 1991, we supported our first letter with another in which we reiterated our readiness to cooperate in bringing the truth to light and our request for a copy of the documents pertaining to the investigations and the evidence amassed. We proposed that we were ready to meet with him, and we informed him of our readiness to receive him in the Great Jamahiriya. (A copy of the letter is enclosed herewith.)
3. The French Examining Magistrate commented on the Libyan inquiry by saying "The content of the documents produced as constituting the Libyan file on the inquiry is inconsistent and the documents therefore have no probative value. There are even anomalies in some documents."

It is clear from the above that he has criticized the Libyan inquiry in terse and inscrutable terms. Let us therefore request him to get to the root of the matter, as he wishes to do. We are prepared to cooperate with him in bringing the truth to light.

For our part, in accordance with article 105 of the Libyan Code of Procedure, we instituted an inquiry with the three suspects after establishing their identities and informing them of the charges brought against them in the presence of their attorneys. We discussed with them in detail everything contained in the indictment brought by the French Examining Magistrate a copy of which had reached us and the existing suspicions against them, and we confronted each of them with what the others had said.

With regard to the fourth suspect, the Libyan authorities have presented evidence, by means of official documents, to establish his true name and that he died more than one year ago. With regard to the documents presented by the accused, they are documents issued by the official authorities sanctioned by the State.

In conclusion, we are prepared to cooperate fully with the French Examining Magistrate in order to bring the truth to light, and we request him to let us know about any matter which he wishes to look into more closely.

Mahmud Ahmad MURSI
Counsellor
Investigating Judge
